

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:09-CR-00158-F-5

No. 5:16-CV-00405-F

BRIAN KEITH LUCAS,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

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ORDER

The motion [DE-309] Brian Keith Lucas filed to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255, received on June 16, 2016, does not substantially follow the form appended to the Rules Governing Section 2255 Proceedings, and therefore, it is not in compliance with Rule 2(c) of the Rules Governing Section 2255 Proceedings and Local Civil Rule 81.2 of this court. The Clerk is DIRECTED to send a copy of the appropriate form to Lucas. Lucas must complete the form in its entirety, sign it under penalty of perjury (or a person authorized by Lucas, such as an attorney, may sign it) and file the original with the Clerk of this court.

Lucas is DIRECTED to return the form, in accordance with these instructions, within fourteen (14) days from the filing of this order. Failure to do so may result in the dismissal of this action or the striking of the motion.

Send the original of the completed § 2255 form to the following¹:

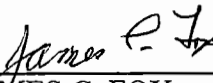
¹ A copy of the completed § 2255 motion will be forwarded to the United States Attorney.

Clerk of Court
United States District Court, E.D.N.C.
ATTN: Prisoner Litigation Division
P.O. Box 25670
Raleigh, NC 27611

Lucas asserts challenges based on *Johnson v. United States*, 135 S. Ct. 2551 (2015), and he previously qualified for appointed counsel. Therefore, pursuant to Standing Order No. 15-SO-2 (E.D.N.C. Oct. 16, 2015), the Office of the Federal Public Defender is appointed to represent Lucas to determine if he may qualify for post-conviction relief.

SO ORDERED.

This 17th day of June, 2016.



JAMES C. FOX
SENIOR UNITED STATES DISTRICT JUDGE